REMARKS/ARGUMENTS

Reconsideration of this application is requested. Claims 35, 37 and 41-43 are in the case.

I. THE INTERVIEW

This will acknowledge the interview conducted with the Examiner (Mr. Borin) on May 4, 2005, during which the outstanding rejection was discussed. The Examiner's position is that the specification allegedly fails to provide an enabling disclosure with respect to amino acid sequences having at least 95% identity with SEQ ID NO:424. It is applicants' position that the specification does provide such an enabling disclosure. No agreement was reached during the interview.

II. THE 35 U.S.C. §112, FIRST PARAGRAPH, REJECTION

Claims 35, 42 and 43 remain rejected under 35 U.S.C. §112, first paragraph, on alleged lack of enablement grounds. This rejection is respectfully traversed.

As evidence of enablement, attached are copies of sequences from *P gingivalis* strains W83 (Accession No. AAQ65420) and W50 (Accession No. CAA10226.1). These sequences differ from SEQ ID NO:424 by a single amino acid at position 199 which is D in W83 and A in W50 and, therefore, represent enabled sequences having at least 95% identity to SEQ ID NO:424. *P gingivalis* strain W50 is disclosed in the specification at page 16, lines 27-30. Furthermore, the specification provides a discussion of allelic variants at page 13. The claim to a sequence having a sequence identity at least 95% to SEQ ID NO:424 is clearly intended to cover strain variation within the organism.

In light of the above, it is clear that the specification does provide an enabling disclosure with respect to sequences having at least 95% identity to SEQ ID No:424. Withdrawal of the outstanding 35 U.S.C. §112, first paragraph, rejection is accordingly respectfully requested.

II. ALLOWABLE SUBJECT MATTER

It is noted with appreciation that claims 37 and 41 are allowable. With the arguments presented above, it is believed that all of the claims in this case are now in allowable condition. Early notice to that effect is awaited.

Favorable action on this application is respectfully requested.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____
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LCM:lfm
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Telephone: (703) 816-4000
Facsimile: (703) 816-4100
Attachments: Copies of sequences from *P gingivalis* strains W83 (Accession No. AAQ65420) and W50 (Accession No. CAA10226.1).

NCBI Protein

My NCBI [Sign In] [Register]

PubMed Nucleotide Protein Genome Structure PMC Taxonomy OMIM Books

Search Protein for Go Clear

Limits Preview/Index History Clipboard Details

Display GenPept Show 5 Send to

Range: from begin to end Features: SNP graph CDD MGC HPRD SIS tRNA Refresh

1: AAQ65420. Reports ragA protein [Por...[gi:34396353]

BLink, Conserved Domains, Links

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VERSION     AAQ65420.1  GI:34396353
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SOURCE      Porphyromonas gingivalis W83
  ORGANISM  Porphyromonas gingivalis W83
            Bacteria; Bacteroidetes; Bacteroidetes (class); Bacteroidales;
            Porphyromonadaceae; Porphyromonas.
REFERENCE   1  (residues 1 to 1017)
  AUTHORS   Nelson,K., Fleishmann,R., DeBoy,R., Paulsen,I., Fouts,D., Eisen,J.,
            Daugherty,S., Dodson,R., Durkin,A., Gwinn,M., Haft,D., Kolonay,J.,
            Nelson,W., White,O., Mason,T., Tallon,L., Cray,J., Granger,D.,
            Tettelin,H., Dong,H., Galvin,J., Duncan,M., Dewhirst,F. and
            Fraser,C.
  TITLE     Complete Genome Sequence of the Oral Pathogenic Bacterium
            Porphyromonas gingivalis Strain W83
  JOURNAL   J. Bacteriol. 185 (18), 5591-5601 (2003)
   PUBMED   12949112
REFERENCE   2  (residues 1 to 1017)
  AUTHORS   Nelson,K., Fleishmann,R., DeBoy,R., Paulsen,I., Fouts,D., Eisen,J.,
            Daugherty,S., Dodson,R., Durkin,A., Gwinn,M., Haft,D., Kolonay,J.,
            Nelson,W., White,O., Mason,T., Tallon,L., Gray,J., Granger,D.,
            Tettelin,H., Dong,H., Galvin,J., Duncan,M., Dewhirst,F. and
            Fraser,C.
  TITLE     Direct Submission
  JOURNAL   Submitted (29-OCT-2002) The Institute for Genomic Research, 9712
            Medical Center Dr., Rockville, MD 20850, USA
COMMENT     Method: conceptual translation.
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1: CAA10226. Reports receptor antigen ...[gi:3901098]

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VERSION     CAA10226.1  GI:3901098
DBSOURCE    embl locus PCI130872, accession AJ130872.1
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SOURCE      Porphyromonas gingivalis
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            Bacteria; Bacteroidetes; Bacteroidetes (class); Bacteroidales;
            Porphyromonadaceae; Porphyromonas.
REFERENCE   1
  AUTHORS   Hanley,S.A., Aduse-Opoku,J. and Curtis,M.A.
  TITLE     A 55-kilodalton immunodominant antigen of Porphyromonas gingivalis
            W50 has arisen via horizontal gene transfer
  JOURNAL   Infect. Immun. 67 (3), 1157-1171 (1999)
  PUBMED    10024556
REFERENCE   2  (residues 1 to 1017)
  AUTHORS   Hanley,S.A.
  TITLE     Direct Submission
  JOURNAL   Submitted (17-NOV-1998) Hanley S.A., MRC Mol. Path., Oral
            Microbiology, St. Bartholomew's & The Royal Lon. Sch. of Med. &
            Dentistry, 32, Newark Street, London, E1 2AA, UK
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